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RUEKJCS/DOD WASHDC
RHMFISS/CDR USEUCOM VAIHINGEN GE
RUEKJCS/SECDEF WASHINGTON DC
RHMFISS/DET STUTTGART FOBE VAIHINGEN GE
RHEBAAA/DEPT OF ENERGY WASHDC
RHEHNSC/NSC WASHINGTON DC
RUEAIIA/CIA WASHINGTON DC
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S E C R E T SECTION 01 OF 02 ABUJA 000585

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DOE FOR GEORGE PERSON

E.O. 12958: DECL: 03/10/2028
TAGS: [PARM](#) [PGOV](#) [MARR](#) [MASS](#) [MCAP](#) [PM](#) [KFPC](#) [IS](#) [SG](#) [NI](#)
SUBJECT: SALE OF NIGERIAN C-130S TO SENEGAL

REF: IIR 6 871 0061 08

Classified By: Political Counselor Walter Pflaumer for reasons 1.4. (b & d)

¶1. (S) SUMMARY: In a February 29 meeting with Nigerian Air Force officials, ODC Chief and Air Attach were apprised of the Government of Nigeria's sale-in-progress of three of their U.S.-purchased C-130 fleet to Senegal. While it initially appeared that Nigeria might be in violation of end-use agreements with the USG, subsequent follow up leads Post to believe that the lack of proper paperwork is a result of the inappropriate handling of the case by a few Ministry of Defense (MOD) individuals, possibly hoping to profit from a quick sale. END SUMMARY.

¶2. (SBU) In a February 29 meeting with ODC Chief and Air Attach, Deputy Director of Nigerian Air Force (NAF) Logistics Mohammed Abbas stated that Nigeria had sold three C-130Hs to the Government of Senegal (GOS), using the Israeli firm A.D. Consultants as a middleman. Abbas stated that the GOS had already transferred the \$6.1 million to the GON, but the sale was still pending due to Department of State inaction on the Third Party Transfer (TPT) request. ODC's March 3 inquiries to the offices of the Secretary of Defense (OSD), Defense Security Cooperation, Security Assistance Affairs, and the Department's Political Military Bureau (PM) about the status of the TPT request came up dry.

¶3. (SBU) Subsequent research by OSD and PM, however, indicate the following timeline:
26 April 2007 -- first payment of \$3.05 million made to Nigerian MOD by GOS;
22 May 2007 -- Formal Aircraft Sale Agreement (no. 5973) between MOD and A.D. Consultants on behalf of Senegal, acknowledging the need to seek USG approval of the sale prior to its completion;
7 June 2007 -- letter sent by MOD Permanent Secretary to Post's Front Office requesting permission for the sale;
23 August 2007 -- letter, but no DSP-83 Non-Transfer and Use Certificate, sent by Nigerian DATT Group Captain Zannah to Department requesting permission for the sale;
15 November 2007 -- notice by Office of Defense Trade

Controls to Nigerian DATT stating that application for TPT was denied, and requesting a resubmission of the request using a DSP-83. DATT Abuja followed up with Nigerian DATT with further explanation of the proper way to proceed to obtain permission for the sale.

14. (SBU) It appears no further action to file the DSP-83 was taken by the GON from November 2007 until the present time. The MOD, however, appeared during that timeframe to have been trying to effect delivery of the aircraft to Senegal. Since the whole affair was brought to Post's attention, ODC and DAO have repeatedly warned the GON, both verbally and in writing, to stand fast until TPT is approved. They have received assurances from the NAF that they are aware of their contractual obligations, are ensuring that the MOD is aware of them, and will not proceed with any sales until legally permitted to do so.

15. (S//NF) COMMENT: Post believes this whole affair likely arose due to a few MOD civil servants intentionally failing to follow the law, possibly for personal gain (other sources report that the sale money was deposited into an unauthorized bank account, see reftel). But it is also part of an historical pattern of the failure of MOD management to practice due diligence and take the time to read and understand the Air Force's contractual obligations -- and a long-term turf battle between MOD and NAF over NAF assets. The ODC and DAO are confident that the NAF is taking steps to ensure that the MOD halts all further actions toward completing delivery of this heretofore unauthorized sale, and on March 26 the Director of the Air Force said they would start working on the proper paperwork shortly. We will

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continue to monitor progress and keep the Department accordingly informed. END COMMENT.
SANDERS